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JFW *Issue Fee*

PATENT
Attorney Docket: 1400-24 DIV II

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Mehul Patel Examiner: Frech, Karl D.

Serial No.: 09/873,374 Group Art Unit: 2876

Filed: June 5, 2001 Dated: May 21, 2004

For: OPTICAL CODE READER FOR MEASURING
PHYSICAL PARAMETERS OF OBJECTS

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**PETITION TO REVIVE AN UNINTENTIONALLY
ABANDONED APPLICATION UNDER 37 C.F.R. §1.137(b)**


Sir:

I am a member of the law firm of Carter, DeLuca, Farrell & Schmidt, LLP, attorneys for the present assignee of the rights to this application, Symbol Technologies, Inc. I submit this petition to revive the unintentionally abandoned United States patent application identified above. The application became abandoned by operation of law due to Applicants' failure to submit payment of the Issue Fee. The failure to submit the Issue Fee was unintentional. The Issue Fee Transmittal Form (PTOL-85) was signed and dated on January 7, 2004 by Aaron Bernstein, Esq. of Symbol Technologies, Inc. The form was inadvertently and unintentionally placed in the file and not mailed.

CERTIFICATE OF MAILING 37 C.F.R. § 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage paid in an envelope, addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 21, 2004.

Date: May 21, 2004


Jennifer Vitale

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1330.00 OP

Enclosed is a check in the amount of \$1,330.00 to cover the surcharge under 37 C.F.R. §1.17(m).

Also enclosed is a check in the amount of \$1,630.00 for payment of the Issue and Publication fees.

I authorize any deficiencies in connection with this petition, or credit any overpayment, to be charged to deposit account No. 50-2140. TWO COPIES OF THIS PETITION ARE ENCLOSED.

Respectfully submitted,



George Likourezos

Reg. No. 40,067

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